

EXHIBIT K

The Halley

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City manager: Monday session 'embarrassing'

Three not at council work session

By PATRICK SANDS
VT-N Staff Writer

LANETT — Half of the Lanett City Council and City Manager Joel Holley were present at Lanett City Hall on Thursday evening for a called work session to discuss several issues that arose during Monday night's regular council meeting.

The three voting members of the council present were Councilmen Mike Yarbrough and John Duskin and Mayor Oscar Crawley. Each of the three had voted in favor of a change to the city's personnel policy that would have, in essence, saved the job of a longtime city employee. The vote was deadlocked at three and the discussion of the resolution was heated at some points. Councilmen Tony Malone, Kyle McCoy and Jamie Heard each voted no on the issue.

"I felt embarrassed after

Monday," said Holley. "I have thick skin."

He said that he felt very bad about what happened to the employee who was transferred into a new position several months ago to deal with personnel issues, lawsuits, insurance claims and a number of other items.

Holley said that one of the things he has noticed is that people in positions in Lanett aren't necessarily doing what their job description says they will be doing.

"Public employees should have some due process protection to keep out the raw politics as we have seen examples of," he said.

Holley said that Monday's action did nothing for the welfare of the city.

"It is not for me to determine how elected officials act," he said.

Holley noted that he had hired an administrative

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IT CAN BE YOURS ON SATURDAY — Someone shown putting the final touches at the school's annual yard sale before the bidding starts. The fur

Art works items ava

Special to The VT-N

WEST POINT — Someone coming out to Saturday's annual yard sale fundraiser at West Point Elementary School, leaving with a variety of art that's been painted by Cheryl Harrison, the school's art specialist.

PLAINTIFF'S EXHIBIT

assistant after transferring the person formerly in that position to the human resource and insurance manager position which was voted down at Monday's council meeting.

"That employee (the new administrative assistant) has done a good job," he said.

Holley said that she had already been contacted for another job when she came to work with the city, but she wanted to work for the place she had lived all of her life.

"She has been an asset to us," he said.

Holley noted that she had done a lot of work with the Arts and Crafts Festival and worked together with the Chambers of Commerce along with several other important duties.

"The employee who got reassigned got a pretty raw deal," he said.

Holley said that the human resource and insurance manager position had been budgeted for this year and he was looking into the personnel policy to see what he could do to accommodate her.

According to the city's personnel policy, no limit is mentioned on how many administrative secretaries the city manager can have.

"The intent was to have one, but there is only one job description for cashier and we have more than one," Holley said.

He said that this employee had not been terminated and this was a "unique situation."

Holley said that whether or not a particular council member liked the individual or not would have been irrelevant.

"It has no place in government," he said.

Holley listed a number of positions listed in the personnel policy that no one is currently holding, including accountant, supervisor, accounts payable supervisor, assistant city clerk/treasurer.

"In-house personnel, we don't vote on that," he said.

Holley said that he would have an additional administrative secretary that

lic servant and my feathers get ruffled when I get accused of breaking the law," he said.

Holley gave an example that Auburn University's Board of Trustees hires a head football coach, but he gets to pick his staff and his team.

"You don't see them calling plays," he said.

Holley said that was how he looked at the mayor and council. They are here to set policy for him, the department heads and employees to carry out.

"I hope you allow me and the employees to run the city," he said. "Anyone doing something will make mistakes."

He told the council that after Monday's meeting he's now a little "gun shy."

"I came here with no ax to grind," he said. "I'm proud of the things we've accomplished."

Crawley told Holley that he absolutely had the authority to post positions and hire without council approval.

He said that the position in question was in the budget and was approved as part of the budget by the council.

"This employee has rights also," he said.

Another hot-button issue at Monday's council meeting was the gas rate used in February.

At Monday's meeting, McCoy charged that the mayor and city manager did not have the authority to change gas rates.

Holley said that he had been through ordinances from many years back and could not find a gas formula other than the the resolution from 2000 when the city had a problem with paying its gas bill.

He said that the bills had been sent out as of Thursday and that citizens would still have the normal length of time to pay their bill.

Yarbrough said that he thoroughly understood what Holley was trying to do and it would have been a decrease in the gas bill for a lot of citizens.

Holley said that only resolution, he found, dealt with gas rates reflecting increases or decreases in gas pur-

chase, said Holley. "It was a great thing, lower gas rates," said Yarbrough. "I know that have been working to figure out what in the wide world sports is going on."

"Gas bills went out on an old formula and people have 15 days to pay the bill," Holley said. "I'm authorized by the mayor council to not let people their bills."

Holley said that he would like the authority to make the annual cost of living raise part of the annual evaluation where a one to three percent raise can be given based on employee performance.

"This would first take care of the cost of living raise and secondly give employees incentive to improve," he said. "There has got to be some incentive."

Holley said he wished the other members of the council were here to consider this issue because personnel matters were more complicated than ever.

"As you can tell, this hasn't been my best week," he said.

Holley said that he loved history and that when the United States was attacked at Pearl Harbor and President Franklin D. Roosevelt declared war, an admiral for the Japanese said "I fear we have awakened a sleeping giant."

"If I'm in a corner, I will bow up," he said. "We can't go forward with micromanagers."

He said that some councilmen have accused him of "talking ugly" to people, but that if people come in and jump on employees and cuss at them, he will protect his employees.

"I'm not required to be gullible and nice," Holley said.

He said that he was not suppose to sit down at city hall and worry the mayor and council at their jobs.

"I want to work on some good things and I to move Lanett forward," he said.

"When half of the body is here, what do you do," asked Yarbrough. "It is important for everyone to sit at this table and listen. I am very proud to have you and I'm proud for the citizens."

Duskin said that he didn't have time to change the city.

Holley said that the council would come together.

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Berlusconi faces charge

ROME (AP) — Prosecutors in Milan said Friday they have requested Italian Premier Silvio Berlusconi be indicted on charges of corruption.

The premier is accused of ordering at least \$600,000 paid to British lawyer David Mills — whose indictment also was being sought — in 1997 in exchange for lawyer's false testimony in two trials against Berlusconi. Both men deny the allegations.

Prosecutor Fabio Pasquale has said Mills, who is married and formally separated from British Culture Secretary Tessa Jowell, accused of giving false testimony in two hearings in 1997 and 1998.

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